

REMARKS/ARGUMENTS

The Final Office Action of February 5, 2004 has been carefully reviewed and this paper and RCE is the Applicants' further response thereto. The Applicants respectfully request reconsideration of the Application in view of the foregoing Amendments and the following Remarks.

Claims 1-49 and 51-59 are pending. Claim 50 is cancelled. Claims 56-59 are new. Claims 1, 5-11, 13, 18-24, 29, 35-40, and 43 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,083,350 to Sandreid ("Sandreid"). Claim 50 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,312,410 to Miller *et al.* Claim 55 was objected to because of an informality. Claim 4 was objected to as depending from a rejected claim but was deemed allowable if rewritten in independent form. Claims 2, 3, 12, 14-17, 25-28, 30-34, 41, 42, 44-49, 51-54 were deemed allowable.

Initially, the Applicant would like to express gratitude for the indication of allowable subject matter. The Applicant's response to the remaining issues is found below.

New Claims 56-59

New claims 56-59 have been added. Support for the claimed subject matter is found on pages 6-7, paragraphs 26-27 of the specification, thus no new matter has been added. It is believed the newly added claims are in condition for allowance and notification of same is respectfully requested.

Objection to The Informalities

Claim 55 was objected to because of an informality. Claim 55 has been amended to correct the informality. The Applicant submits that claim 55 is now believed to be in condition for allowance and the confirmation of same is respectfully requested.

Amendments to Claims 10, 21, and 40

Claim 10 has been amended to align with the amended language recited in claim 1. Similarly, claim 40 has been amended to align with the amended language recited in claim 29.

In addition, claim 21 appears to have been missing a space between the words "are" and "integrated." Claim 21 has thus been amended to include the missing space. The Applicant respectfully requests entry of these minor changes so as to prevent any additional informalities.

Objection to a Claim Depending From a Rejected Claim

Claim 4 was objected to as depending from a rejected claim but was deemed allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The Applicant has amended claim 1 and believes claim 1 to be in condition for allowance. Thus, as claim 4 depends from claim 1, claim 4 is believed to be in condition for allowance for at least the same reason as claim 1. Confirmation of same is respectfully requested.

Cancellation of Claim 50

The Office Action indicated that it was unclear what was meant by labeling claim 50 as "withdrawn" in the listing of the claims. The Applicant regrets any confusion caused by labeling claim 50 as "withdrawn" and has clarified the listing of the claims to indicate that claim 50 has been cancelled. As such, the Office Action's rejection of claim 50 is deemed moot and will not be substantively addressed.

Objection to the Specification

The specification was objected to for failing to provide sufficient antecedent basis for the language "a clamping surface adaptive to receive a tensioning tool." The Applicant has amended claim 1, 13, 29 and 49 to clarify the antecedent basis. For example, claim 1 now recites "a coupling surface adaptive to interface with a tensioning tool." The Applicant respectfully submits that there is antecedent basis for this language on page 6, paragraph 27, lines 1- 13 of the specification. Accordingly, withdrawal of this objection is respectfully requested.

Rejection Under 35 U.S.C § 102(b) - Sandreid

Independent claims 1, 13, 29 and 49 were rejected under 35 U.S.C. §102(b) as being anticipated by Sandreid. As previously noted, claims 1, 13, 29 and 49 have been amended to recite “a coupling surface adaptive to interface with a tensioning tool.”

Sandreid discloses a gripping device for clamping on a rope 20, including an arm 22, a jaw member 17, and a handle 31 for moving the jaw member to engage the rope 20. (Sandreid, Col. 4, Ln. 32 – Col. 5, Ln. 7). The Office Action alleged that Sandreid discloses a clamping surface 21. Regarding the element 21, Sandreid explains:

A rope, a cord, or wire 20 to be gripped and locked by the locking device may be passed through a pair of guide rings 21, which are mounted in the frame 10...

(Sandreid, Col. 4, Ln. 43-44). Thus, in operation, a rope passes through the rope passageway in frame 11 and frame 10 via a guide ring 21 (shown as located on both ends of the gripping device in Figure 1) so the rope can be engaged by the engaging surfaces 18 and 19. (Sandreid, Col. 5, Ln. 42-45). The Applicant has reviewed the Sandreid reference and has been unable to locate any discussion of any other use of the guide rings 21.

Thus, Sandreid only discloses the use of a guide ring 21 to guide the rope through the frame to the engaging surface and cannot fairly be considered to disclose, suggest or teach, for example, “a coupling surface adaptive to interface with a tensioning tool” as recited in claim 1. If the Applicant’s position is not accepted on this point, it is requested that the Applicant be directed to the specific point where Sandreid discloses or even suggests the use of the guide rings 21 as, for example “a coupling surface adaptive to interface with a tensioning tool.”

In addition, the Examiner is reminded that a reference that is allegedly anticipatory must be enabling. Here, Sandreid is devoid of any suggestion for how to use the guide rings 21 as, for example, “a coupling surface adaptive to interface with a tensioning tool.” Nor is it clear how one might modify the guide rings 21 so that they could work as “a coupling surface adaptive to interface with a tensioning tool” without inhibiting the intended use of the guide rings 21. Rather, attempting to clamp to the guide ring 21 would prevent the guide ring 21 from working as intended.

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Therefore, the Applicant respectfully asserts that Sandreid fails to disclose at least one limitation of claims 1, 13, 29 or 49. As Sandreid does not disclose at least every limitation of claims 1, 13, 29 or 49, Sandreid cannot anticipate claims 1, 13, 29 or 49 or the claims depending therefrom. Withdrawal of this rejection is respectfully requested.

Consequently, it is respectfully submitted that all the independent claims are in allowable condition and that all claims depending from these independent claims are allowable for the same reasons and for the additional limitations recited in those claims.

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CONCLUSION

The Commissioner is hereby authorized to charge any fees in connection with the filing of this Amendment and Response or credit any overpayment of fees to our Deposit Account No 19-0733.

All rejections and objections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,

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